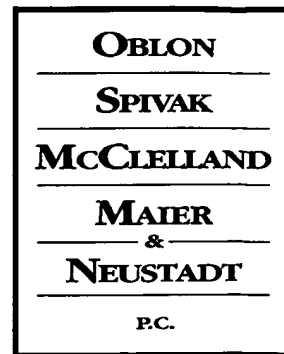




IFW

Docket No.: 243762US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



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RE: Application Serial No.: 10/681,303
Applicants: Katsumi URYUU, et al.
Filing Date: October 9, 2003
For: SEMICONDUCTOR DEVICE AND METHOD OF
MANUFACTURING THE SAME
Group Art Unit: 2826
Examiner: DICKY, Thomas L.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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Chien H. Yuan
Registration No. 48,056

DOCKET NO: 243762US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KATSUMI URYUU, ET AL. : EXAMINER: DICKEY, THOMAS L.
SERIAL NO: 10/681,303 :
FILED: OCTOBER 9, 2003 : GROUP ART UNIT: 2826
FOR: SEMICONDUCTOR DEVICE AND :
METHOD OF MANUFACTURING THE :
SAME :

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement mailed July 27, 2004, Applicants provisionally elect, *with traverse*, claims 1-4 (Group II), for further examination on the merits in the present application. Claims 1-4 are drawn to a semiconductor device.

Applicants respectfully traverse the Restriction requirement for the following reason.

MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

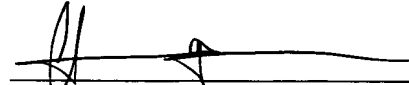
The claims of the present invention would appear to be part of an overlapping search area.

Accordingly, Applicants respectfully traverse the outstanding Election requirement on the grounds that a search and examination of the entire application would not place a serious burden on the Examiner.

Therefore, an action on all pending claims is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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